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11 JOEL RUBINSTEIN, IN PRO PER

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA

15 JOEL RUBINSTEIN,

16 Plaintiff,

17 vs.

18 SAP AG, a German corporation, SAP
19 AMERICA, INC., a Delaware corporation,
SAP LABS, LLC, a Delaware limited liability
company, and DOES 1-20, inclusive,

21 Defendants.

Case No. C 11-06134 JW

**STIPULATION AND [PROPOSED]
ORDER TO RESCHEDULE HEARING
AND TO EXTEND BRIEFING
DEADLINES FOR DEFENDANTS'
MOTION TO DISMISS**

Date: February 6, 2012

Time: 9:00 a.m.

Judge: Hon. James Ware

Dept.: 9

1 Plaintiff Joel Rubinstein (“Plaintiff”) and Defendants SAP AG, SAP labs, LLC and SAP
 2 America, Inc. (“Defendants”), collectively referred to as the “Parties,” file this stipulation to
 3 extend the hearing date and briefing deadlines related to Defendants’ Motion to Dismiss
 4 Plaintiff’s Complaint:

5 WHEREAS, Plaintiff filed his Complaint on November 7, 2011 in the Superior Court of
 6 California in and for the County of Santa Clara;

7 WHEREAS, Defendants timely removed the action to this Court on December 6, 2011,
 8 based on diversity of the parties and original jurisdiction pursuant to 28 U.S.C. Section 1332;

9 WHEREAS, Defendants filed their Motion to Dismiss Plaintiff’s Complaint on December
 10 13, 2011;

11 WHEREAS, Defendants’ Motion to Dismiss is currently set for hearing before this Court
 12 on February 6, 2012;

13 WHEREAS, Plaintiff is currently proceeding in this matter *in pro per* and is currently in
 14 the process of retaining counsel;

15 WHEREAS, Plaintiff anticipates filing an Amended Complaint;

16 WHEREAS, Plaintiff has requested an extension of the deadline to file his Opposition to
 17 Defendants’ Motion to Dismiss;

18 WHEREAS, the Parties are willing to continue the hearing on Defendants’ Motion to
 19 Dismiss and the related deadlines for filing Plaintiff’s Opposition thereto and Defendants’ Reply
 20 in Support thereof;

21 WHEREAS, neither party has been or will be prejudiced by the continuation of these
 22 litigation deadlines;

23 THEREFORE, the Parties stipulate and agree, and request that the Court approve the
 24 following deadlines:

Event	Old deadline	New deadline
Plaintiff’s last day to file Opposition to Defendants’ Motion to Dismiss	12/27/2011	01/17/2012

28

1	Defendants' last day to file Reply in Support of Motion to	1/03/2012	01/24/2012
2	Dismiss		
3	Hearing on Defendants' Motion to Dismiss	02/06/2012	02/13/2012

4
Dated: December 27, 2011

MORGAN, LEWIS & BOCKIUS LLP

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7 By /S/ Jennifer Lockhart8 Melinda S. Riechert
9 Jennifer A. Lockhart
10 Attorneys for Defendants
11 SAP AG, SAP AMERICA, INC. and SAP
12 LABS, LLC13
14 Dated: December 27, 2011

JOEL RUBINSTEIN

15
16 By /S/ Joel Rubinstein17 Joel Rubinstein
18 Plaintiff in Pro Per

19 PURSUANT TO STIPULATION, IT IS SO ORDERED.

20 DATED: January 17, 201221
22 Chief District Judge James Ware
23 United States District Judge
